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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,) Case No. 2:14-mj-00432-GWF-1
9 Plaintiff,)
10 vs.) **ORDER**
11 CLIFFORD JAMES SCHUETT,)
12 Defendant.)
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14 This matter comes before the Court on Defendant's Motion for a Writ of Habeas Corpus
15 (#25), filed on July 15, 2014.

16 Pursuant to Local Rule IA 10-6, “[a] party who has appeared by attorney cannot while so
17 represented appear or act in the case.” Defendant Schuett was appointed counsel on June 25, 2014.
18 On July 3, 2014, Defendant filed a Motion (#9) to be appointed co-counsel, or in the alternative, to
19 be permitted to represent himself. A motion hearing was set on Defendant's Motion (#9) for
20 Thursday, July 17, 2014, for the limited purpose of determining whether the Defendant will be
21 permitted to proceed pro se. Due to Defendant's health issues, however, the motion was vacated
22 and will be rescheduled at a later date. *See Dkt. #27.* Therefore, the Court must deny Defendant's
23 Motion for a Writ of Habeas Corpus at this time considering that he is currently represented by
24 counsel and failed to bring the aforementioned motion through his counsel of record. Accordingly,

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IT IS HEREBY ORDERED that Defendant's Motion for a Writ of Habeas Corpus (#25) is **denied**, without prejudice.

DATED this 18th day of July, 2014.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge